003

IN THE HIGH COURT OF JUDICATURE, AT BILASPUR

CHHATTISGARH **Single Bench**

WRIT PETITION NO. 907 /2006

PETITIONER : Rohinee Kumar Kashyap, S/o. Shri Jugut Ram Kashyap, aged 29 years, Occupation Service, working as Panchayat Secretary, R/o. Village Loharsi, Tah. Pamgarh, Distt. Janjgir-Champa (C.G.)

No. 9831/06
Presented by T. S. Sahu
Dated 23/12/06

Versus

RESPONDENTS

1) State of Chhattisgarh, through Secretary, Panchayat and Social Welfare Department, Mantralaya, D.K.S.Bhavan, Raipur (C.G.)

2) Deputy Director, Panchayat & Social Welfare, Distt. Janjgir-Champa (C.G.)

3) Collector, Janjgir-Champa, Distt. Janjgir-Champa (C.G.)

4) Chief Executive Officer, Janpad Panchayat, Pamgarh, Distt. Janjgir-Champa (C.G.)

5) Gram Panchayat, Through its Sarpanch, Gram Panchayat, Loharsi, Distt. Janjgir-Champa (C.G.)

6) Sarpanch, Gram Panchayat, Loharsi, Janpad Panchayat Pamgarh, Distt. Janjgir-Champa (C.G.)

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WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER, OR DIRECTION.

The above named petitioner most humbly and respectfully begs to submit as under:-

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

035

आदेश पत्रक

मामला क्रमांक WP 907/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	7-3-2006 Shri I.S. Sahu, counsel for the petitioner. Shri G.K. Beriwal, Dy. A.G. with Shri Satish Gupta, Dy. G.A. for the State. Heard. The present petition has been filed by the petitioner against the order dated 07-10-2005 (Annexure P-7) whereby his services have been removed from the post of Panchayat Karmi (Secretary). Learned counsel for the petitioner submits that the petitioner was appointed as Panchayat Karmi of Gram Panchayat Loharsi vide order dated 20-09-2004 (Annexure P-2). He further submits that thereafter the petitioner was appointed as Secretary of Gram Panchayat vide order dated 30-09-2004 (Annexure P-5). He also submits that vide order dated 7-10-2005 (Annexure P-7), respondent No. 6/Sarpanch Gram Panchayat Loharsi removed the petitioner from the post of Panchayat Secretary, which is under challenge. Learned counsel for the State on the other hand submits that the remedy of preferring an appeal before the Sub Divisional Officer under Rule 3 of the Chhattisgarh Panchayat (Appeal and Revision) Rules, 1995 is provided, which has not been availed of by the petitioner. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to prefer an appeal raising his grievances before the competent authority of respondents within a period of 15 days from today and on such an appeal being preferred, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within a period of two months from the date of receipt of appeal. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law. With the aforesaid observations, this petition stands disposed of. Consequently, M.W.P. No. 704/2006 also stands disposed of. Certified copy as per rules. Sd/- Fakhruddin Judge	

[पीछे देखिये